

**A CERTIFIED TRUE COPY**

JAN - 9 2007

ATTEST *[Signature]*  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**FILED**JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JAN 22 2007

DEC 22 2006

DOCKET NO. 1735

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAFILED  
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE WAL-MART WAGE AND HOUR EMPLOYMENT PRACTICES  
LITIGATION***Eileen Foster v. Wal-Mart Stores, Inc., et al.*, N.D. California, C.A. No. 3:06-7272*Lori Kraemer v. Wal-Mart Stores, Inc.*, D. North Dakota, C.A. No. 3:06-98**CONDITIONAL TRANSFER ORDER (CTO-5)**

On February 16, 2006, the Panel transferred five civil actions to the United States District Court for the District of Nevada for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 416 F.Supp.2d 1356 (J.P.M.L. 2006). Since that time, 13 additional actions have been transferred to the District of Nevada. With the consent of that court, all such actions have been assigned to the Honorable Philip M. Pro.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Nevada and assigned to Judge Pro.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Nevada for the reasons stated in the order of February 16, 2006, and, with the consent of that court, assigned to the Honorable Philip M. Pro.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Nevada. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*[Signature]*  
Jeffery M. Lüthi  
Clerk of the Panel

I hereby attest and certify on 1/18/07  
that the foregoing document is a full, true  
and correct copy of the original on file in my  
legal custody.

CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEVADA

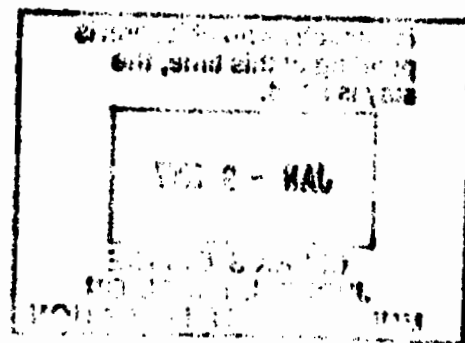
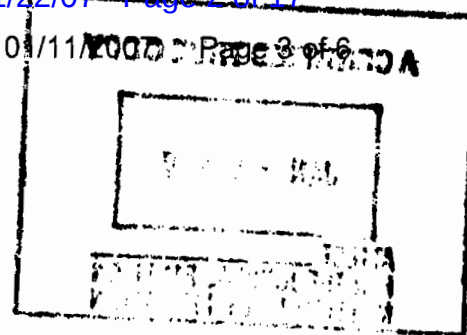
By *[Signature]* Deputy Clerk

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

JAN - 9 2007

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION





DEC 22 2006

**DOCKET NO. 1735**

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CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE WAL-MART WAGE AND HOUR EMPLOYMENT PRACTICES  
LITIGATION**

*Eileen Foster v. Wal-Mart Stores, Inc., et al.*, N.D. California, C.A. No. 3:06-7272

*Lori Kraemer v. Wal-Mart Stores, Inc.*, D. North Dakota, C.A. No. 3:06-98

**CONDITIONAL TRANSFER ORDER (CTO-5)**

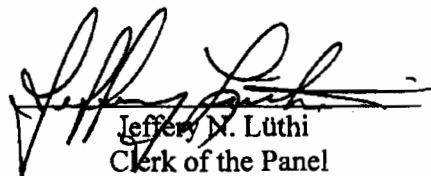
On February 16, 2006, the Panel transferred five civil actions to the United States District Court for the District of Nevada for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 416 F.Supp.2d 1356 (J.P.M.L. 2006). Since that time, 13 additional actions have been transferred to the District of Nevada. With the consent of that court, all such actions have been assigned to the Honorable Philip M. Pro.

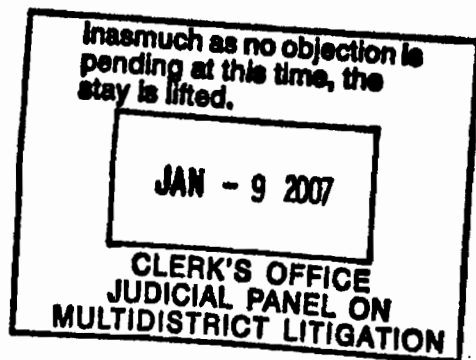
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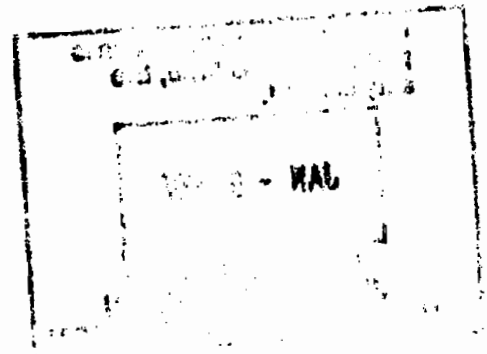
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FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel





**INVOLVED COUNSEL LIST (CTO-5)**

**DOCKET NO. 1735**

**IN RE WAL-MART WAGE AND HOUR EMPLOYMENT PRACTICES LITIGATION**

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**Other Orders/Judgments**

2:06-cv-00225-PMP-PAL MDL 1735 - In RE: Wal-Mart Wage & Hour Employment Practices Litigation

**United States District Court****District of Nevada****Notice of Electronic Filing**

The following transaction was received from GEW, entered on 1/18/2007 at 12:49 PM PST and filed on 1/11/2007

**Case Name:** MDL 1735 - In RE: Wal-Mart Wage & Hour Employment Practices Litigation

**Case Number:** 2:06-cv-225

**Filer:**

**Document Number:** 117

**Docket Text:**

(cc) ORDER from MDL Panel re [116] Order. Certified copy transferring Eileen Foster v. Wal-Mart Stores, Inc., et al, ND California, 3:06-7272 and Lori Kraemer v. Wal-Mart Stores, Inc., North Dakota 3:06-98 to District of NV. (see doc for details) Signed by MDL Panel on 1/9/07. (GEW)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1101333072 [Date=1/18/2007] [FileNumber=3335910-0]  
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709fc255bd76a669041c0da998e95888c89a9e007a15d231bd91e188438a0]]

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**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

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Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

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Washington, D.C. 20002

Telephone: (202) 502-2800  
Fax: (202) 502-2888

<http://www.jpml.uscourts.gov>

January 9, 2007

Lance S. Wilson, Clerk  
Lloyd D. George U.S. Courthouse  
333 Las Vegas Boulevard, South  
Las Vegas, NV 89101

Re: MDL-1735 -- In re Wal-Mart Wage and Hour Employment Practices Litigation

(See Attached CTO-5)

Dear Mr. Wilson:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on December 22, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Philip M. Pro  
Transferor Judges: Judge Samuel Conti; Judge Rodney S. Webb  
Transferor Clerks: Edward J. Klecker; Richard W. Wiekling

JPML Form 36

UNITED STATES DISTRICT COURT  
OFFICE OF THE CLERK  
DISTRICT OF NEVADA  
LLOYD D. GEORGE US COURTHOUSE  
333 LAS VEGAS BOULEVARD SOUTH  
LAS VEGAS, NEVADA 89101  
(702) 464-5400

LANCE S. WILSON  
CLERK OF COURT

CYNTHIA K. JENSEN  
CHIEF DEPUTY, LAS VEGAS

JAKE HERB  
CHIEF DEPUTY, RENO

**RECEIVED**

January 18, 2007

JAN 22 2007

Clerk of the Court  
U.S. District Court  
Northern District of California  
450 Golden Gate Ave.  
San Francisco, CA 94102

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**IN RE: MDL 1735 In RE: WAL-MART WAGE & HOUR EMPLOYMENT PRACTICES  
LITIGATION 2:06-cv-00225-PMP-PAL**

Dear Clerk:

Enclosed is a certified copy (or copies) of an order of the Judicial Panel on Multidistrict Litigation directing the transfer of the below referenced civil action(s) to this district under 28 U.S.C. Section 1407.

Please send us your **original file** along with a certified copy of your docket entries. When you send your file, please refer to our civil action number. You may send the file by CD.

<u>TITLE OF CASE</u>	<u>Your Case Number</u>	<u>Our Case Number</u>
<b>NORTHERN DISTRICT OF CALIFORNIA</b>		
<b>Eileen Foster v. Wal-Mart Stores, Inc.,</b>		
<b>et al</b>	<b>3:06-7272 <i>SC</i></b>	<b>2:07-cv-0067-PMP-PAL</b>

Sincerely,

Enclosure:

LANCE S. WILSON, Clerk  
US DISTRICT COURT

cc: Michael Beck, Clerk of the Panel  
(See attorney service list)

By *Grace Walters*  
Grace Walters, Deputy Clerk

## Other Events

2:06-cv-00225-PMP-PAL MDL 1735 - In RE: Wal-Mart Wage & Hour Employment Practices Litigation

### United States District Court

### District of Nevada

#### Notice of Electronic Filing

The following transaction was received from GEW, entered on 1/18/2007 at 1:14 PM PST and filed on 1/18/2007

**Case Name:** MDL 1735 - In RE: Wal-Mart Wage & Hour Employment Practices Litigation

**Case Number:** 2:06-cv-225

**Filer:**

**Document Number:** 118

#### Docket Text:

TRANSMITTAL re [117] Order to Northern District of CA transferring case 3:06-7272 Eileen Foster v. Wal-Mart Stores, Inc., et al to District of Nevada case number 2:07-cv-0067-PMP-PAL. (GEW)

The following document(s) are associated with this transaction:

#### Document description:Main Document

**Original filename:**n/a

#### Electronic document Stamp:

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bd7a63d39498457f6bed23c917e476f39e7ef5361bb3f98ef65601125a245]]

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1/18/2007

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